

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PEIFA XU, Individually and On Behalf of All
Others Similarly Situated,

Plaintiff,

v.

GRIDSUM HOLDING INC., GUOSHENG
QI, MICHAEL PENG ZHANG, RAVI
SARATHY, GUOFA YU, PERRY LIN
CHUI, XIANG FAN, YANCHUN BAI,
XUDONG GAO, THOMAS ADAM
MELCHER, PETER ANDREW SCHLOSS,
PRICE WATERHOUSECOOPERS ZHONG
TIAN LLP, GOLDMAN SACHS (ASIA)
L.L.C., CITIGROUP GLOBAL MARKETS
INC., and STIFEL, NICOLAUS &
COMPANY INCORPORATED,

Defendants.

1:18-cv-03655 (ER)

**STIPULATION AND [PROPOSED]
ORDER DISMISSING CERTAIN
CLAIMS AGAINST DEFENDANTS
GUOSHENG QI, MICHAEL PENG
ZHANG, AND RAVI SARATHY**

WHEREAS, on May 28, 2019, defendants Gridsum Holding Inc. (“Gridsum”) and Thomas Melcher, among other defendants, moved to dismiss the Second Amended Class Action Complaint (the “SAC”) (ECF 144-47); and

WHEREAS, on March 30, 2020, the Court issued an Opinion and Order (the “March 2020 Order”) regarding the SAC dismissing plaintiffs’ claims under the Securities Exchange Act of 1934 (the “Exchange Act”) as they relate to alleged misstatements in Gridsum’s Registration Statement (ECF 201); and

WHEREAS, on May 7, 2020, plaintiffs filed a Third Amended Class Action Complaint (the “TAC”) (ECF 209), and on June 8, 2020, defendants Gridsum and Thomas Melcher, among other defendants, moved to dismiss plaintiffs’ amended claims in the TAC (ECF 210-12); and

WHEREAS, on October 15, 2020, defendants Guosheng Qi, Michael Peng Zhang and Ravi Sarathy waived service of summons (ECF 230-32); and

WHEREAS, on February 23, 2021, the Court issued an Amended Opinion and Order (the “February 2021 Order”) dismissing, in relevant part, “[a]ll newly-alleged claims arising under Section 10(b) of the Exchange Act against Gridsum and Melcher, and Section 20(a) of the Exchange Act against Melcher, in relation to Gridsum’s Registration Statement” (ECF 236); and

WHEREAS, on May 4, 2021, in a letter to the Court, plaintiffs stated that they “do not dispute that [the Exchange Act] claims relating to the Registration Statement should be dismissed as they were resolved by this Court in the 2020 Order and 2021 Order and will so stipulate”;

IT IS HEREBY STIPULATED AND AGREED, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, consistent with the Court’s March 2020 and February 2021 Orders, that plaintiffs’ claims arising under Sections 10(b) and 20(a) of the Exchange Act that relate to alleged misstatements in Gridsum’s Registration Statement are dismissed against Guosheng Qi, Michael Peng Zhang and Ravi Sarathy, with the parties to bear their own costs, expenses and attorneys’ fees.

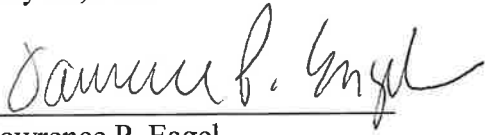
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IT IS SO STIPULATED.

New York, New York
May 24, 2021



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Counsel for Defendants

IT SO ORDERED:

Edgardo Ramos, U.S.D.J.


IT IS SO STIPULATED.

New York, New York
May 24, 2021

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Counsel for Defendants

IT SO ORDERED:

Edgardo Ramos, U.S.D.J.